

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 18, 1980  
6:00 P.M.

Council Chambers  
301 West Second Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Goodman,  
Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino

Absent: None

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes of the Meeting for December 4, 1980. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen,  
Snell

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman,  
Mayor Pro Tem Trevino

EMINENT DOMAIN PROCEEDINGS

Councilmember Mullen moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for the construction of the Rosewood Neighborhood Center:

0.9493 of one acre of land out of Lots 1 through 6, Joe C. Franzetti's Resubdivision of Block 5 in C. R. Johns Subdivision, 2001-2011 Salina. (Robert J. Franzetti, et al owners)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

#### RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easement:

A 10' Public Utility and Drainage Easement on Lots 9 and 10, Acres West Subdivision, 13627 Research Boulevard. (Requested by Mr. Frank P. Santucci, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution authorizing release of the following easement:

A Blanket Electric Utility Easement on all parcels within Wild Basin Wilderness Park. (Requested by Ann Richards, Commissioner, Precinct 3, in behalf of Travis County, owner)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

#### CAPITAL IMPROVEMENTS PROGRAM

Councilmember Mullen moved that the Council adopt a resolution approving a Construction Change Order in the amount of \$9,948.50 for CDD #9, Street, Drainage and Sidewalk Improvements, HCD, C.I.P. No. 75/62-20. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

#### CONTRACT APPROVAL

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

PEARSON AND ASSOCIATES  
307 West 7th Street  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Northland Drive Bicycle/Pedestrian  
Crossing - \$15,633.00 C.I.P. No.  
73/61-01

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

ROBERT C. GRAY CONSTRUCTION CO.  
P. O. Box 9442  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Drainage Improvement - Teri Road  
Culvert Peppertree Park, Section  
4-A - \$29,902.00 C.I.P. No.  
75/60-02

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

WESTINGHOUSE ELECTRIC CORPORATION  
201 North St. Mary's Suite 512  
San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM -  
Protective Relaying and Communication  
Equipment, Electric Utility Department  
Items 1-15 - \$39,926.00 C.I.P. No.  
78/16-01

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

A. B. CHANCE COMPANY  
1257 Security Drive  
Dallas, Texas

- Street Light Pole Assemblies, Purchases  
and Stores Division  
Items 1-4 - \$43,808.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

GULF STATES CRANE COMPANY	- Hydraulic Crane & Platform, Vehicle
414 Morris Avenue	and Equipment Services Department
Houston, Texas	Item 1, 1 ea. - \$34,428.34

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

INTERNATIONAL BUSINESS MACHINES, INC.	- Circulation, Cataloging and Management
1609 Shoal Creek Boulevard	Information System, Library Department
Austin, Texas	Twelve (12) Month Lease - \$155,316.00
	(\$49,800.00 software; \$105,516.00
	hardware) FOB destination freight
	pre-paid.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

#### AGENDA ITEM PULLED

The following item was pulled from the Agenda for consideration, at the City Manager's request:

Amendment to the Fayette Power Project Participation Agreement.

#### 911 EMERGENCY NUMBER

Councilmember Mullen moved that the Council adopt a resolution entering into an agreement for participation in the 911 emergency universal number system with Travis County, Texas. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

## FEDERAL GRANT FUNDS AUDIT

Councilmember Mullen moved that the Council adopt a resolution selecting the professional services of Coopers and Lybrands and approving a contract in connection with the required audit of federal grant funds administered by the City of Austin. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

## CAMC AGREEMENT EXTENDED

Councilmember Mullen moved that the Council adopt a resolution extending the Fiscal Year 1981 Capital Area Manpower Consortium (CAMC) Agreement for the period October 1, 1981 to September 30, 1982. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

## IPA GRANT

Councilmember Mullen moved that the Council adopt a resolution approving the submission of an application for an Intergovernmental Personnel Act (IPA) Grant from the Texas Department of Community Affairs in the amount of \$42,528.00. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

## MUNICIPAL EXECUTIVE TRAINING PROGRAM

Councilmember Mullen moved that the Council adopt a resolution entering into a Letter of Agreement with the Government Leaderships Institute to develop a Municipal Executive Training Program. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

## PUBLIC HEARINGS SET

Councilmember Mullen moved that the Council set a public hearing on the following: Austin Central Business District Rail Relocation Study on February 19, 1981 at 6:30 p.m. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Mayor McClellan stated, "Before the Planning Commission's hearing we will publish notices and also notify by mail all of the property owners in the study area at least one week prior to the hearing and that the same procedure is followed before the public hearing in the Council Chambers." This was also referred to the Planning Commission.

Councilmember Mullen moved that the Council set a public hearing on the following:

Amendments to the Zoning Ordinance (Chapter 45) establishing new design standards for off-street parking, bicycle/moped parking and hotel parking for January 15, 1981 at 7:00 p.m.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

Councilmember Mullen moved that the Council set a public hearing on the following:

An appeal for Mr. Terrance Kendall, Attorney for Steck Office Park Ltd., on the Planning Commission's decision in requiring Steck Office Park Ltd., to be responsible for the cost of an off-site water line grid pattern extension will be heard on January 8, 1981 at 2:45 p.m.

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

## OPERATING BUDGET AMENDED

Mayor McClellan introduced the following ordinance:

801213-4  
H.L.A.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, appropriating funds from the General Fund ending balance for the required audit of various federal grants administered by the City of Austin. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCE AMENDMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 680627-E, ENACTED BY THE CITY COUNCIL ON JUNE 27, 1968, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-68-008)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 720727-D, ENACTED BY THE CITY COUNCIL ON JULY 27, 1972, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-72-128)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790201-B, ENACTED BY THE CITY COUNCIL ON FEBRUARY 1, 1979, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-064)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 790614-K, ENACTED BY THE CITY COUNCIL ON JUNE 14, 1979, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-79-081)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800131-H, ENACTED BY THE CITY COUNCIL ON JANUARY 31, 1980, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-79-206)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 800717-S, ENACTED BY THE CITY COUNCIL ON JULY 17, 1980, BY CORRECTING THE LEGAL DESCRIPTION OF THE PROPERTY ZONED BY SAID ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14h-80-010)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 12,678 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 4907 RED BLUFF, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-80-180, John Loughlin and Perry Lorenz)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: AN 8.82 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 4.00 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT. ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 5251-5501 U.S. 183 (ED BLUESTEIN BOULEVARD); SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mary Alice Ludwig, C14-80-198)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A .62 ACRE TRACT OF LAND; AND A 1.25 ACRE TRACT OF LAND, LOCALLY KNOWN AS 524-610 WONSLEY, ALSO BOUNDED BY EAST POWELL LANE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Marion O. Shirk & Mrs. Elmer O. Sakewitz, C14-80-188)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke  
Noes: None  
Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.595 ACRE TRACT OF LAND, LOCALLY KNOWN AS 6008-6010 CAMERON ROAD, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Cameron Road Church of Christ, C14-80-195)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan intrdouced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.011 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4017 VICTORY DRIVE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Barton Market Square, Inc., C14-80-197)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.33 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1412 WEST 6-1/2 STREET (611 HIGHLAND AVENUE) (JAMES R. JOHNSON HOUSE), FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "A-H" RESIDENCE-HISTORIC, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (James R. Johnson House, C14h-80-025)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 1A, RESUBDIVISION OF LOTS 1-4, BLOCK 129, ORIGINAL CITY, LOCALLY KNOWN AS 1003 RIO GRANDE (GEORGE W. SAMPSON HOUSE), FROM "C" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-H" COMMERCIAL-HISTORIC, FOURTH HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (George W. Sampson House, C14h-80-026)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmembers Cooke

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 5 AND 6, BLOCK 78, ORIGINAL CITY, LOCALLY KNOWN AS 603 WEST 8TH STREET (GILFILLAN HOUSE), FROM "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT TO "O-H" OFFICE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Gilfillan House, C14h-80-027)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 4 AND 5, RESUBDIVISION OF LOTS 7 AND 8, BLOCK 60, ORIGINAL CITY, LOCALLY KNOWN AS 501-503 EAST 6TH STREET (COMMISSION-GENERAL PROVISIONS BLDG.), FROM "C-2" COMMERCIAL, FOURTH HEIGHT AND AREA DISTRICT TO "C-2-H" COMMERCIAL-HISTORIC, FOURTH HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14h-80-028)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE NORTH 92 FEET OF THE WEST 128 FEET, LESS 28' x 55', OUTLOT 20, DIVISION E, LOCALLY KNOWN AS 1717 WEST AVENUE (H. B. HANCOCK HOUSE), FROM "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT TO "O-H" OFFICE-HISTORIC, SECOND HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (H. B. Hancock House, C14h-80-029)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmember Cooke

Noes: None

Abstain: Councilmember Goodman, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 9.44 ACRE TRACT OF LAND, LOCALLY KNOWN AS 12164-12758 U. S. 183 AND 12153-12283 JOLLYVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (John C. McElroy et al, C14-79-018)

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE EASTERNMOST 200 FEET PARALLEL TO THE EAST RIGHT-OF-WAY LINE OF LOOP 360 OF LOT 8, BLOCK "A" OF WESTLAKE CROSSROADS, LOCALLY KNOWN AS 1705 S. LOOP 360, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Haupt Builders, Inc., C14-80-127)

The ordinance was read the first time, and Councilmember Goodman moved that the Council pass the ordinance to its second reading. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Mayor McClellan,  
Councilmember Cooke

Noes: Councilmember Goodman, Mayor Pro Tem Trevino

Abstain: Councilmember Snell

The Mayor announced that the ordinance had been passed through first reading only.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 1.359 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4606-4806 TERI ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Ted & Edward Wendlandt, C14-80-091 [Tract 1])

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

## SALE OF GOODS, WARES AND MERCHANDISE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF AUSTIN, 1967 BY CREATING A NEW SECTION 31-4.1; PROHIBITING THE SALE OR OFFERING FOR SALE OR EXCHANGE OF GOODS IN CERTAIN SPECIFIED AREAS; PROVIDING FOR CERTAIN EXCEPTIONS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan asked if the concerns Council had on sandwich vendors have been taken care of. Assistant City Attorney DeLaRosa stated, "It has been redrafted and specifically has a provision excluding mobile food vendors."

## RESOLUTION FOR COUNCILMEMBER SNELL

A resolution, signed by the Mayor and all Councilmembers, was presented to Councilmember Snell. Councilmember Snell will become County Commissioner Snell on January 5, 1981, thus vacating his Council place. The resolution commended Councilmember Snell for his contributions to the City of Austin during his terms in office.

Councilmember Snell expressed his thanks and appreciation for the resolution and stated, "I will certainly be disappointed if I cannot work with each one of you next year as a Commissioner and hope that in April you are all successful in regaining your seats so that the things we talked about will be carried out. I look forward to that challenge. I also want to say that I have never seen a staff like we have here, the way they work with you and help you."

City Manager Davidson expressed the following: "I do want to say, Councilman-Commissioner, that on behalf of the City of Austin employees we are grateful for the many courtesies you have extended to us over the years and also for the various benefits that City employees have favored during your term on the City Council. It has been a privilege for me to be able to work with you in connection with the issues you have been most interested in over the years and I think they will benefit our citizens greatly in the future. All of us do sincerely look forward to working with you as a County Commissioner. There are many issues we will need your help with and with the degree of cooperation you are going to insist on, we are going to live up to our part. Thanks for all that you have done for the City of Austin. Congratulations."

Councilmember Snell was then presented with a golf club.

## ATKINSON ROAD CONSTRUCTION

Director of Public Works John German presented the following City Manager Report on Funding Alternatives for Atkinson Road Construction:

"As the Council requested, I have reviewed the current status of all Public Works CIP (Capital Improvement Program) projects to identify possible funds for reallocation to the Atkinson Road - Camino LaCosta intersection improvements project. A total of \$74,300 is needed to cover the anticipated cost if a contract is awarded.

"However, in reviewing the project, it became apparent that Street and Bridge Division forces could accomplish the work in a more expeditious manner and at a reduced cost. That cost is estimated to be \$59,400, or a 25% reduction. Work could begin January 19, 1981, and could be finished by April, 1981.

"Funds could be reallocated from projects which have been completed and were under the amount budgeted. They are:

Blackshear Phase II	\$ 30,000
Dorsett Road Culvert	15,100
Paving Intersections, 1979	<u>14,300</u>
Total	\$ 59,400 "

"If the Council approves of this reallocation, I will see that work is initiated and completed in accordance with this schedule and within the funds allocated. The Option II coverage design, as approved by Council, will be utilized except that painted islands will be used rather than concrete islands."

Motion

Mayor Pro Tem Trevino moved that the Council approve the funding alternatives for Atkinson Road Construction. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
 Noes: None

## CETA

Councilmember Himmelblau moved that the Council adopt a resolution authorizing the extension of the current contract with the Texas Employment Commission in the amount of \$444,533.00 to remunerate CETA participants for Fiscal Year 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau  
 Noes: None

Prior to the vote, Councilmember Himmelblau said, "I couldn't tell from the background material about the cash flow on the extension of the contract

with the Texas Employment Commission." Carlos Herrera, Director of Human Services, said, "The reason we asked for an extension is that we got late word on some of the resolutions passed by Congress. We didn't have to make the draw-downs to the Federal government to get those monies. If we don't get the money it is not going to be a matter of cash flow with the City. It's going to be a matter of determination with TEC paying the stipends to the students." Councilmember Himmelblau questioned the draw down, and Mr. Herrera said there will be a three day turn around. "Even if we had to go to that (a draw down on City funds) I'm not sure of the cash balance, but in any event, three days is not going to put anybody out, I don't believe." Councilmember Himmelblau asked, "We will not expend City funds?" Mr. Herrera answered, "I cannot guarantee that at this point but I don't know the balance in the account. I know we are very close to depleting it, but with a draw down on a three day turn around, I don't see any problem in doing that."

#### ROBERTSON HILL PROJECT

Carlos Herrera, Director of Human Services, presented the City Manager Report on the Robertson Hill Project as follows: "We have made a recommendation that we would like to be in a position to establish a steering committee as soon as possible and hire under contract someone who would specifically work with that steering committee to iron out any of the problem areas that may still exist and to come up with a program that would be affordable and be able to be implemented soon."

Mayor Pro Tem Trevino asked, "Under your plan this coordinator would insure that some of the differences particularly between Robertson Hill and Guadalupe Parish boundary would be resolved?" Mr. Herrera said this is why they want this plan.

Councilmember Snell said he would like to make a motion for approval but would like to separate the commercial from the residential. Mr. Herrera said this may create an additional kind of problem because it is the same people they would be working with.

#### Motion

Councilmember Snell moved that the Council adopt a resolution to approve the report for Robertson Hill Plan and authorize the City Manager to contract for project coordination. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,  
Councilmembers Cooke, Goodman, Himmelblau, Mullen  
Noes: None

## FOOD ESTABLISHMENTS

Mayor McClellan opened the public hearing, scheduled for 6:30 p.m. on Amendments to Chapter 12 relating to food establishments.

Dr. Albert Randall, Director of the Health Department, reviewed the proposed amendments and distributed copies to the Council and City Clerk.

SUSAN STANFORTH, representing the Restaurant Association, told Council they think excessive standards have been recommended for the Council's approval. They object to the food manager certification test procedure and Ms. Stanforth went over the parts of the amendments with which they disagree. She asked Council to consider relief from the parts of the ordinance which would cause hardships for food establishments.

Discussion took place between the Mayor, Dr. Randall and Councilmember Cooke re the food manager certification. Mayor McClellan said this certification would have a bad effect on the Mom-Pop type of operation because it requires the manager to be on hand for eight hours. If the certified manager of a small type business were out ill, then the business would have to be closed.

REX SHERRY, State Department of Health, Food and Drug Division, answered a question concerning the use of the same kitchen in a home for family use and catering. He said the same kitchen cannot be used. Catering cannot be done from the home unless there is a separate facility. Discussion then followed concerning this.

JEWEL STRIMLER, J & J Burritos, mobile food vendor, discussed the modification of the home kitchen, and Dr. Randall brought out the point that the Health Department has no authority to enter private residences. Ms. Strimler then suggested mobile food vendors should be at concerts.

JERRY BALLARD, representing Ballard Drive-In Groceries, read a resolution which they propose. He said they operate 12 stores in Austin and do not prepare food from a raw product in their stores. He does not think they should have the same certification criteria as restaurants or large super markets.

GAYLAND STRAUSS, representing the Austin Restaurant Association, spoke against the necessity for having a certified food manager on the premises for eight hours and also spoke against the section concerning suspension of food permits.

BRYAN BICKE, Director of Fraternity Affairs at the University of Texas, said the enactment of the food certification rule would make it difficult for fraternities and sororities. Councilmember Himmelblau wondered if the housemother could be trained to have the food certification. Mayor McClellan thought they should be exempt.

Motion

Councilmember Mullen moved that the Council exempt sororities and fraternities from the food management certification program. The motion, seconded by Councilmember Himmelblau, carried by a unanimous vote.

Councilmember Cooke stated, "For the record, the wording on that would be that food manager certification will not be required for food managers or food establishments which are private non-profit fraternal organizations providing food service to its own membership."

SHIRLEY SLAUGHTER appeared before Council. She said she is a home caterer by profession and asked Council to vote to allow home caterers to continue as long as they meet all of the health requirements. She said the proposed new health code is discriminatory and terribly unfair to home caterers.

Mayor McClellan stated the Council is supportive of this suggestion.

Motion

Councilmember Cooke moved that the Council approve home catering services shall not be stricter than, but will comply with State regulations. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen,  
Snell, Mayor Pro Tem Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

MR. FRANK HORSFAL appeared and said there should be a public hearing on this important amendment. Mayor McClellan informed him that this is a public hearing.

BILL ROLLIS said that the idea of certification of a food manager is a good idea, but gave his opinion of changes that should be made.

ROLAND DeNOIS objected to food manager certification for all vendors. He cited the Mom-Pop type operation in particular.

Mayor McClellan observed that a number of concerns had been brought out and asked Dr. Randall to re-draft the amendment in the problem areas, then notify Council when it will be brought back to Council for action. She asked Dr. Randall to lay out alternatives for the Council. She suggested this be brought back as a City Manager report so another public hearing will not be required. Dr. Randall said he would do so, but that it will take quite some time.

Motion

Councilmember Cooke moved that the Council close the public hearing on amendments to Chapter 12 relating to food establishments. The motion, seconded by Councilmember Himmelblau, carried by a unanimous vote, Mayor Pro Tem Trevino and Councilmember Goodman, not in Council Chamber when roll was called.

## ZONING HEARING

Mayor McClellan opened the public hearing, scheduled for 7:00 p.m., on the following zoning application. Pursuant to published notice thereof the following zoning case was publicly heard:

ALLANDALE BAPTIST CHURCH	3600-2700 Northland Drive	From "A" Residence 1st Height and Area
By Pike Powers	5700-5802 Nasco Drive	To "O" Office 1st Height and Area
C14-80-181	2601-2615 Allandale Road	RECOMMENDED by the Planning Commission

Mr. Lillie, Director of Planning, reviewed the application.

MR. PIKE POWERS, representing the Allendale Baptist Church, asked Council to approve the zoning change. He said they have been in litigation for two years and they believe the settlement will be a good one. He said an excess of 90% of the Allendale residents have consented to the compromise and they will ask the Court to approve. He said the zoning will be much more limiting than regular office zoning since this is part of the settlement agreement with the neighborhood. The restrictive covenant will run with the land and to protect Allendale, all landowners will receive notice of any changes to this covenant.

JOHN SCANLAN appeared and asked that "O" Office be approved. He said any new buildings on the site should have site zone approval and all parking should be on the site and not on the street; and asked that Nasco Drive be rededicated.

DAVID FERGUSON, representing the church deacons, told Council this solution is the result of 12 months of work. The zoning change is essential to the future because the church is looking toward relocation. All church members, which number 5,000, are in unanimous support.

ALAN McMURTRY, representing Allendale Neighborhood Association, asked Council for their support. He said the neighborhood has been kept informed at all times. It is a unique case and they do support "O" Office. He said traffic would be less with "O" than with church and school as it presently is.

SHIRLEY ROGERS, resident in the area, supports "O" Office zoning. She said there will be an out of Court settlement with deed restrictions.

S. E. McCullough, who lives on Bullard Drive, told Council there are a lot of people not in favor of the proposal. He said it would not be to anyone's advantage but the church.

Councilmember Cooke moved that the Council grant "O" Office, 1st Height and Area District, conditioned on compromise between the church and the neighborhood. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

## WATER CONTROL AND IMPROVEMENT DISTRICT NO. 19

Councilmember Goodman moved that the Council adopt a resolution granting consent by the City of Austin to the creation of the Water Control and Improvement District No. 19, subject to the Planning Commission's recommendations that the land which will be contained within the water district be deed restricted to all provisions of the Barton Creek Ordinance, and that engineering plans be submitted to the City for review; all water and wastewater facilities shall be constructed to City standards with final plans for the water plant reviewed and approved by the City Water and Wastewater Department and the Department shall have the right of inspection and final approval for operation of the plant with appropriate inspection fees levied to the District; the City of Austin Council shall approve all annexation of land into the District and any out-of-District service; Water Control Improvement No. 19 bonds can only be sold for water improvements; and the City of Austin has the full and total right to inspect their financial records at any time. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman

Noes: None

Prior to the vote, Councilmember Himmelblau said she wanted to make certain all lines meet City of Austin standards.

JOE RIDDELL appeared and said Council should turn down the developer's request. He said the money should come from a savings and loan company and not from bond money.

## ENERGY CONSERVATION COMMISSION

Mr. Pieter Sybesma, Administrator, Energy Conservation and Renewable Resources, presented the Energy Conservation Commission's Report on Recommended Additions to the Comprehensive Community Energy Management Program Task Force. He stated: "Mr. Bill Brant, Chairman of the Energy Conservation Commission was unable to stay until this time, because of a prior commitment at 8:30. The Commission is recommending that the Council approve the addition of three more identifiable groups to the Comprehensive Community Energy Management Task Force. Those three groups are the Associated General Contractors; Associated Building Contractors; and Construction Specification Institute. They recognize there are other groups they have overlooked at this point and as more are brought to their attention, they will be making more recommendations to Council. These three groups are the ones they are recommending at this time for addition to the Task Force."

Motion

Councilmember Cooke moved that the Council approve the addition of Associated General Contractors, Associated Building Contractors, and Construction Specification Institute to the Comprehensive Community Energy Management Program Task Force. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,  
Mayor McClellan, Councilmembers Cooke, Himmelblau

Noes: None

Not in Council Chamber when roll was called: Councilmember Goodman

#### ITEMS RELATED TO CABLE TELEVISION

Council had before them for consideration two items related to cable television:

1. Consideration of approval of an RFP (Request for Proposal) for an ascertainment study.
2. Consideration of amending the 1980-81 Operating Budget by appropriating funds for (1) the purpose of funding an ascertainment study, (2) securing additional professional services from Cable Television Information Center.

MR. HAROLD HORN, consultant from Cable Television Information Center, appeared before Council to tell them: "We've had considerable discussion pertaining to the material presented to you on the ascertainment study. I'd like to walk you through it. The thrust of this is aimed at one of the elements pointed out in our initial study that we thought was not clear. It is the role which the institutional network would play in the configuration of the proposal being presented. The only role that was identified in that initial proposal by the company was the Austin Independent School District.

"As we had further discussions at our last session there was a definition of functions in the financial report which had been presented for analysis. It was a description of a 225 mile institutional network but yet still rather undefined in terms of what it is going to cover. You will recall in our report that this is one of the things we felt an ascertainment study should attempt to do was to determine exactly what will be included, what would be the terminal points, what would be the kinds of institutions connected, what would be the role of the type of searching system that would be necessary, the type of management required, the kind of impact this would have within the institutions that would be attempting to use such a device. This is a whole new concept in many respects. There are few institutional networks but many of them are being proposed in the current competitions that are taking place nationwide.

"It is important that much of this be identified within the negotiations which take place. The ascertainment study we are proposing here is a little different methodology than we have seen up until now. Most of the methodology you have seen has been pretty much of a market approach in which people are often asked, look, here is a new technology, would you be interested in using it and people say yes or no. This attempts to get more at a definition of how people actually are communicating in the institutions. It is done through a series of interviews which are spun off until we pretty much have recovered the entire potential that exists. From a statistical standpoint they are dealing then with a cluster analysis as to how these groups are interacting and what kind of methods of communications they are presently using. One of the concerns is

that there be complete understanding of how cable can be assessed before any attempt is made to pin down particular institutions. The entire technology is one in which you are using digital, you are using video, or you are using voice as all potential for inter-connection.

"We are attempting, in the design of the methodology we've shown here to make sure that all those elements are brought forth through the interview process. Just how are people communicating now in the institutions and whether cable is the appropriate method, whether it's telephone, whether it's radio, or microwave, all comes out as a part of this. Then the information which is brought out of that is built back into suggestions as to which of the institutions are most appropriate. As a part of this we are also acting that the financial ramifications be explored and find out what the impact would be both for the user institutions and the long range problems of the cost impact to the institutions for using a new technology. That's the thrust.

"The description is one in which it is different than one many groups are using, but it has been proven out now and in two or three cases we have seen a very effective approach to a study of this nature. That's the reason we are recommending it to you. We think there are probably four or five groups that have already identified some interest in responding to such a Request For Proposal. We envision that probably there would be a research person who would be in overall charge of a project like this that would utilize people by training them in the methodology, the interview process, and then analyzing the results in terms of telecommunication requirements as to how it would fit into the overall scheme of the institutions.

"The other aspect is one we are dealing with here and is one that we're talking in terms of an educational process that the Center might conduct in a simultaneous effort. Since it is never known for sure exactly how much information is available at any given time to the various community groups that may be interested, we know we have received and studied the proposals of many of the access organizations, the Independent School District, the Austin Community College, and others have presented you with proposals that are precise in what their aspirations are to get from a cable system. We are suggesting a meeting in which others who are in the community are interested in the technology have an opportunity to come to a session, learn more about it, learn how they could utilize it, and perhaps then also be phased in. The flexibility of the ordinance itself is key to this and we think that language can and will be developed that can accommodate changes as far as other users are identified beyond those we are already familiar with."

Mayor McClellan asked, "You see no problem with proceeding with negotiations and just leaving the flexibility?" Mr. Horn replied, "The way I envision it, there has been at least a commitment verbally at this point and also in terms of financial information that has been supplied to you by Capital Cable that the configuration, whatever it may be, is talking about a 225 mile system. It may be more or less, but I think by having that kind of parameter, it is a reasonable number in terms of the ratios we have seen in other communities that I think we could work within. It would be about a three month process, and whoever does the study may be able to do it in less than that. We would pin down the exact terminal points but even that has to have flexibility

because you are going to want new users to have the opportunity to get on the system so it's a matter of how we develop the contractual requirements that is key to it..plus we know the general size and the commitment that we have seen so far is a reasonable one.

Councilmember Himmelblau asked if the franchise could be negotiated within the time frame of the ascertainment study. Mr. Horn said that could be completed before the ascertainment study is completed because it is possible to develop flexibility in the contract. Councilmember Mullen asked if Mr. Horn meant to sign a final contract before the ascertainment study is completed. Mr. Horn said yes, "you have a commitment in terms of size of the system. It is a matter now of pinning down the details of where it goes and that is going to be changing. You don't want to get locked in permanently on that location if it is not going to be responsive at some point. The thing you want to negotiate first of all, is there a commitment to an institutional network and what is the general dimension of that network and then we can work within that on an ongoing basis."

Councilmember Himmelblau asked, "Aside from the educational seminars that you mentioned, could the staff do a part of the ascertainment study?" Mr. Horn answered, "I think we would envision that almost anybody can be trained in the types of questions that have to be asked to get the results we are looking for. What we are interested in seeing is response to the RFP. A lot of people approach the task differently and that is one of the things you would evaluate in any response that you would get. There are models in which questions have been researched and developed to really get to an understanding of how they should be asked. But people can be trained and I expect anyone doing this would be using local people to make those interviews." He went on to say response time to an RFP should be within two to three weeks.

Councilmember Cooke asked if the business community has expressed much interest in cable television. Mr. Horn said, not many, but some banks and financial institutions have expressed interest.

Councilmember Mullen said he would feel more comfortable in there with an ascertainment study first.

Councilmember Goodman asked, "Will the weekly reports have all topics discussed that have been and that remain to be discussed on a continuing basis?" Mr. Davidson said, "We anticipate covering either the areas that have been covered or are being covered during the previous week and a projection of the things that are going to be covered." Councilmember Goodman said every report should have included not only what has been talked about but what is going to be talked about at the next meetings.

Mayor McClellan asked Council, "Do you want to proceed with the RFP?" Councilmember Goodman said, "And also the additional authorization for CTIC." Mayor McClellan added, "Included in that was recommendation of the seminars." Councilmember Cooke said also included would be the expenditure limit of an additional \$20,000. In both cases, the previous one and this one, the expenses would be recovered from whoever receives this award. I think there is some definite miscommunication to the public that we are just throwing more money out the door and the whole intent from the start has been that whoever wins the franchise is going to receive a bill from the City up front. Of course, they are going to make a lot of money too."

Motion

Councilmember Cooke moved that the Council approve an RFP (Request for proposal) for an ascertainment study. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Trevino

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY TRANSFERRING \$20,000.00 FROM THE GENERAL FUND ENDING BALANCE TO THE 1980-1981 OPERATING BUDGET OF RESEARCH AND BUDGET SPECIAL SERVICES FOR THE PURPOSE OF FUNDING A CABLE TELEVISION ASCERTAINMENT STUDY AND FUNDING PROFESSIONAL SERVICE FROM CABLE TELEVISION INFORMATION CENTER; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been finally passed.

## COMMUNITY GARDENS

MR. KENNETH L. ALTES appeared before Council to request funds for water consumption for 1981 for Austin Community Gardens. He showed slides of the gardens and explained the therapeutical help it gives to mental patients as well as being a service to others who enjoy gardening.

Mr. Leonard Ehrler, Director of Parks and Recreation, said he has met with the Deputy City manager concerning this. The money for the community garden was deleted during the last budget.

Councilmember Himmelblau thinks the State, MH/MR, and other agencies in the community should also be approached concerning this. Mayor Pro Tem Trevino asked staff to continue working on this request and come back with their recommendations.

## EMINENT DOMAIN PROCEEDINGS DISCUSSED

MR. EGBERT V. SMITH appeared before Council to discuss eminent domain proceedings. He told Council, "It is my duty to present to you the details of the condemnation procedure for a neighborhood park proposed on my property and hereby request that these proceedings be completely withdrawn and leave me free and unencumbered of this harassment. This negotiation began in October 1979 on my approach to PARD (Parks and Recreation Department) with an invitation for them to see the park site that still has springs. After David Reed and his staff visited the site, we talked about pressures and influences from the neighborhood associations and the funds available for a neighborhood park which he declared had been earmarked in the amount of \$438,000.00.

"When the issue of condemnation of land for park purposes was mentioned, I was assured that they would not condemn my property. We continued to negotiate and selected a park site, arranged the size to be 6.38 acres of land which was less than the \$438,000 at my price of \$65,340 per acre. At David Reed's suggestion, my offer was prepared and presented, which included an escalation rate to compensate for the increasing inflation. There seemed to be mutual agreement but there was no acceptance of my offer.

"Arrangements were made by PARD and the City of Austin Property Management Department for a land appraiser to see the property. It was my specific request that the appraiser be shown this property only under my personal guidance. Entrance to the property is secured by locked gates with posted signs warning against trespassing. Nevertheless, their appraiser entered my property without my permission and against my request and wishes. This criminal trespass on my land violated my rights. The people from Property Management apparently had not seen this property, and according to Mr. J. Barrett Garrison, the Parks and Recreation Board had not seen this site.

"Until this time all negotiations with PARD had been made in good faith. A counter offer dated July 17, 1980 was received for less than half the amount of my offer which had terms and conditions which were unacceptable. I had hopes that this was the end of PARD's interest in my land. Then came the lowest blow. On November 6, 1980 papers were served on me to bring notice of a hearing in County Court No. 3 to proceed in condemnation of 8.102 acres of land for the neighborhood park and 60' roadway connection to Spicewood Springs Road.

"The Property Management Department had presented a consent motion before the City Council on September 25, 1980. This was really sneaky because my consent was not obtained and the Consent Motion was a deception to this City Council. Appraisers tell me the remainder of my property will be damaged considerably by this proposed park site. In consideration of all these irregularities of deception, violation to my rights of privacy, the damage to my remaining portion, the conversion of my good faith offer into being made to feel like a criminal in the case of the City of Austin versus Egbert Smith, defendant and other abuses encountered by these proceedings, it is now my request that this City Council withdraw these proceedings, and countermand the order of condemnation.

"In this neighborhood there are three parks in existence. About 1800 feet to the southwest is Barrow Reserve. About 1800 feet to the north is Steck Valley and about 2,000 feet to the northeast is the playground at Anderson High School. I hope you will favor my relief."

Mayor McClellan asked Mr. Morahan when this is scheduled to go to Court. Mr. Morahan said this is scheduled for hearing on January 29. Mayor McClellan then explained to him the procedure of a consent motion procedure and that it does not imply that Mr. Smith gave his consent.

Mayor Pro Tem Trevino asked staff to answer the accusation that the City entered into Mr. Smith's property without permission. Mr. Morahan said he is not familiar with this. It would be the appraiser hired by the City who entered the property, but he said he would investigate and report back. Mayor McClellan asked the City Attorney to prepare a report to Council on the accuracy of all the procedures that Mr. Smith addressed. Mr. DeLaRosa said the report will be back to Council on the January 8th Agenda.

#### ROBERTSON HILL

MR. WILLIAM GRAY appeared before Council to discuss the Robertson Hill Neighborhood Association and plans for that area. He said the problems in the area are strong and deep with the impression that it is a ghetto area. He said they are against the present steering committee for the area because they do not like their ideas. Mayor McClellan told Mr. Gray that Council will work with the new steering committee from the Robertson Hill Neighborhood Association.

#### DISCUSSION OF PLACE 6

MR. BOB GARRETT appeared before Council to discuss Place 6 on the City Council. He said he had thought there should be an election to fill the place vacated by Councilmember Snell for 89 days, but had been told it is too costly to hold a special election for someone to serve that short time.

#### INCENTIVE PAY FOR CHRISTMAS DAY

MR. PETER J. FEARS appeared before Council to discuss incentive pay for employees working on Christmas Day. He said since many city employees will not be able to spend Christmas Day with their families, they request incentive pay for that day. It will not require a budget amendment. He said the current practice is to get eight hours regular pay and then an eight hour holiday.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 791004-G BY AUTHORIZING INCENTIVE PAY TO EMPLOYEES WHO HAVE WORKED ON CHRISTMAS DAY 1980; REPEALING ALL ORDINANCES IN CONFLICT HERewith; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers  
Cooke, Goodman, Himmelblau, Snell  
Noes: Councilmember Mullen

The Mayor announced that the ordinance had been finally passed.

## CITIZEN DID NOT APPEAR

Mr. Lucius Moore, who had requested to discuss a proposal for cable TV franchise to serve the area east of IH 35 did not appear.

## WATER IMPROVEMENT DISTRICT NO. 10

MR. CLIFF DRUMMOND, Vice-President of Travis County Water Control and Improvement District #10 appeared before Council to brief them on the District's planning activities and upcoming bond election as follows: "Our Board is very aware of the importance this Council places on the peninsula and its future. ...Today there are 15 times as many people who live on the West Bank as in 1957. With the completion of MoPac and the Lake Austin bridge during the next year there will be pressure on the six local governments of the West Bank to provide more and more service to more people. Accordingly, Water District 10 began a series of engineering studies 18 months ago to assess our ability to deliver water reliably and also to assess what the future population will be.

"Four findings of our studies are:

1. We cannot in peak periods deliver sufficient water to our patrons.
2. Water District 10 as now constituted is only 52% developed, about 1/3 of the current district or 1500 acres is buildable but unbuilt.
3. Our studies show we can expect to see the population on the West Bank double at least by the year 2,000.
4. Water District 10 has always been and continues to be in sound financial condition.

Because of these findings, a year ago our Board adopted a one-acre minimum requirement for single-family residences throughout our area of the Peninsula. Last month the Board took the additional step of adopting a moratorium of any future annexations into the District for approximately 3 years.

"Our Board has proposed to our patrons a Capital Improvements Program based on engineering recommendations that would essentially double our pumping and major transmission capabilities. Additionally, we intend to correct a number of low pressure problems that pose potential fire hazards. ... Our patrons will decide on the 1-1/2 million dollar bond package at an election that has been called for January 24th. We are hopeful of their concurrence in these improvements. We do not believe a tax increase will be required. Also we will be able to defease all of the outstanding indebtedness from the original bond issue of 1957."

Councilmember Himmelblau asked, "Will this double your consumption as far as drawing down per gallon from the City of Austin?" Mr. Drummond said the projections show that over the time between now and the year 2000 the demand will be basically double. Today our average daily consumption is less than 1,000,000 gallons a day purchased from Austin. Our peak day demands are about 3,000,000 a day. We do, however, see our needs doubling over the next 20 years.

Councilmember Himmelblau stated, "I'd like to see our staff work with us in looking at our contract with Water District 10 and also our capabilities of our treatment plants. I firmly believe our first requirement as members of the City Council is to serve those within our corporated limits and I want to make sure of our capability before we enter into any agreement with any of the water districts." Councilmember Goodman said he would like to see the report prepared by staff as soon as possible.

SECOND PUBLIC OPINION POLL  
CENTRAL CITY REVITALIZATION

MR. ROBERT A. DEAN appeared before Council to present the results of the Second Public Opinion Poll conducted by the Austin Jaycees Chapter. They are as follows:

"The following is the preliminary results from the Austin Jaycees public opinion poll concerning Central City Revitalization. The results are from all respondents to the questionnaire.

Statistics:

1. Total number of reponses 399

2a. Frequency of trips to downtown area:

Daily	107	(26%)
Weekly	128	(33%)
Monthly	59	(15%)
Hardly ever	105	(26%)

2b. If daily, weekly or monthly:

Shop in downtown area?		
Yes	142	(48%)
No	152	(52%)
Work in downtown area?		
Yes	87	(30%)
No	207	(70%)

2c. If hardly ever, what reason?

Condition of downtown area	5	( 5%)
Not types of services needed	29	(27%)
Not convenient	44	(42%)
Parking	8	( 8%)
Other	19	(18%)

3. Aware of proposal for Congress Avenue:

Yes	374	(94%)
No	25	( 6%)

## ZONING CASE POSTPONED

Councilmember Goodman moved that the Council approve the request of Mr. John Morrey representing John Dayton, to postpone Zoning Case C14-80-194 scheduled for hearing on January 8, 1981 and refer back to Planning Commission. The motion was seconded by Mayor McClellan, and carried by a unanimous vote.

## WILLIAMSON CREEK WATERSHED

Council had before them the proposed draft amending Chapter 41A to establish development controls for the Williamson Creek Watershed, dated December 16, 1980. The following motions were made:

Motion

Councilmember Goodman moved that the Council add the following to Section 204.2 (d):

- (d) In addition to the restrictions above and all other standards of this article, no commercial development shall exceed 65% impervious cover on slopes of 10% to 20% gradient, nor 25% on slopes of greater than 20%.

The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor McClellan  
Noes: Mayor Pro Tem Trevino

Motion

Councilmember Goodman moved that the Council consider Section 206.2, Maintenance Stage, on January 29, 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Mayor Pro Tem  
Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None  
Abstain: Councilmember Snell

Motion

Councilmember Goodman moved that the Council delete "over at least 80% of the channel length" in Section 203.5 (b)(1) c., Velocity Attenuation and Surface Drainage Channels; and in Section 203.7 (c) (2), Water Quality Filtration section of Street Standards, change the fourth line to read "0.5 inch of runoff" instead of "1.0 inch of runoff." The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,  
Councilmembers Cooke, Goodman  
Noes: Mayor Pro Tem Trevino

Motion - Died for Lack of Second

Mayor Pro Tem Trevino moved that the Council change Section 203.7 (e) to say "No blasting" rather than "Limited blasting." The motion died for lack of a second.

Motion - Failed

Councilmember Himmelblau moved that the Council change Section 205.1 (a), Water Quality Review Board, to state the responsibility of the ordinance will be with 1. City Staff; 2. Planning Commission; and 3. Subdivision Task Force. The motion, seconded by Councilmember Cooke, failed to carry by the following vote:

Ayes: Councilmembers Cooke, Himmelblau  
Noes: Councilmembers Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Goodman, Mullen

Motion

Councilmember Goodman moved that the Council establish a Water Quality Review Board (Section 205.1 Water Quality Review Board). The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Goodman, Mullen, Snell  
Noes: Councilmembers Cooke, Himmelblau

Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ADDING CHAPTER 41A, ARTICLE II TO THE CODE OF THE CITY OF AUSTIN; DECLARING CERTAIN FINDINGS OF FACT; PROVIDING STANDARDS FOR THE DEVELOPMENT OF LAND LOCATED WITHIN THE AQUIFER-RELATED WATERSHED OF WILLIAMSON CREEK; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Mullen, Snell, Mayor Pro Tem Trevino  
Noes: Councilmembers Cooke, Himmelblau

The Mayor announced that the ordinance had been finally passed.

Motion

Councilmember Goodman moved that the following be added to the Ordinance just passed, to include a provision that requires a slope map to be drawn:

A slope map drawn to the same scale as the preliminary plan dividing the subdivision into slopes of 0-10 percent gradient, 10-20 percent gradient, and greater than 20% gradient, with four foot contour intervals. The allocation and total percentage of impervious cover for the subdivision shall be shown in conformance with Section 204.2 and the proposed area for each commercial lot shall be shown.

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Snell, Mayor Pro Tem Trevino,  
Mayor McClellan

Noes: Councilmember Cooke

Abstain: Councilmember Himmelblau

#### EXECUTIVE SESSION

Mayor McClellan announced Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

#### RECESS

Council recessed its meeting for the Executive Session at 10:20 p.m. and resumed its recessed meeting at 11:06 p.m.

#### BOARD AND COMMISSION APPOINTMENTS

Mayor Pro Tem Trevino moved that the Council approve the following Board and Commission appointments:

##### Vending Commission

Linda Robinson - term to expire June 1, 1982

##### Dental Health Advisory Committee

Michael McKinney - term to expire March 1, 1981

##### Human Relations Commission

Friendly Rice  
Robert Breihan  
Geneva Conally  
Gary Witt

Eunice Wyatt  
Mary Benavides  
Samuel Guzman

6 terms to expire November 11,  
1982; 1 term to expire November  
1, 1981

Austin Community Consortium

Chuck Sorkin  
Rosa Rios-Valdez  
Linda Doering

Parks and Recreation Board

Mark Smith - term to expire June 1, 1981

Electrical Board

Walter Timberlake  
Virgie Camarillo  
Vernon Fowler

Terms to expire December 1, 1982

Medical Assistance Advisory Board

Juanita Tijerina  
Virginia Agnew  
Horace Calahan  
Mim Carlson  
LaBarbara Fly

Terms to expire December 1, 1982

Environmental Board

Phillip Savoy - term to expire July 1, 1982

Hospital Board

Jefferson "Jay" Brim - term to expire July 1, 1982

Construction Advisory Committee

James Dossett - term to expire October 1, 1981

Board of Adjustment

Frank Jackson  
Junious Smith  
Jack Farland

Terms to expire January 1, 1983

Community Development Commission

Jimmy Snell

Affirmative Action Plan Advisory Committee

Charles Pennie  
Linda Lewis  
Rafael Quintanilla  
Annabelle Valle

Jim Cannon  
Becky Beaver  
David Mitchell

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell,  
Mayor Pro Tem Trevino, Mayor McClellan  
Noes: None

#### CONTRACT APPROVED

Councilmember Mullen moved that the Council adopt a resolution approving the following oversized wastewater main:

T. L. SUBDIVISION 3 - Construction of a 12-inch wastewater main to serve T. L. Subdivision 3 (Hyatt Regency Hotel - \$46,000.00 City cost participation will be \$21,950.00 which includes 6% engineering fees.)

The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

#### INCORPORATION OF CREEDMOOR NOT APPROVED

Council had before it a resolution to consider granting the consent of the City of Austin to the incorporation of Creedmoor. Councilmember Himmelblau stated, "I'm opposed to granting the incorporation and also, there is a clause in the contract the City has with Creedmoor-Maha Water Corporation that Mr. DeLaRosa can elaborate on that would prohibit this."

Mr. DeLaRosa, Assistant City Attorney, addressed Council as follows: "The contract which the City has with the Creedmoor-Maha Water Corporation which was authorized December 2, 1965 provides that this corporation shall not sell or deliver any water to any customer inside the corporate limits of any city, town or village except the City of Austin. So if the City of Creedmore were to be incorporated, then this contract provision would prohibit the Corporation from supplying water to the City of Creedmoor. It would be in violation of the contract."

#### Motion

Councilmember Himmelblau moved that the Council not grant the City of Creedmoor the power to incorporate. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau  
Noes: None

Councilmember Himmelblau stated, "For future reference I want the part of the contract we have with the Water Corporation read into the Minutes."

"Agreement for Purchase of Water"

"C. It is further mutually agreed between the City and the Corporation as follows:

4. (Prohibited Sales by Corporation) No such water delivered to the Corporation by the City under the terms of this contract shall be sold or delivered to consumers outside the City limits of the area served by the Corporation without the written consent of the City; nor shall the Corporation sell or deliver any of such water to any customer who shall offer such water for resale; nor shall the Corporation sell or deliver any such water to any customer inside the corporate limits of any city, town, or village except the City of Austin; no such water delivered to the Corporation shall be sold or delivered to customers in any subdivision within the area served by the Corporation and within five (5) miles of the corporate boundaries of the City of Austin until such subdivision has been approved by the Planning Commission of the City of Austin. The Corporation shall not furnish water to any customer in a subdivision unless such subdivision complies with the provisions of Article 974a, Vernon's Annotated Civil Statutes of Texas and with the regulations of the City of Austin concerning subdivisions."

Motion to Reconsider

Councilmember Cooke moved that the Council reconsider the motion. It carried by unanimous consent.

DON BIRD appeared before Council and described Creedmoor as an old area with its own background and history. He said they want to control themselves and there is no way this could harm the City of Austin. He said there would be no cost to the City and no problem of control. It is a positive request for the people to protect what they call home. Councilmember Himmelblau asked if Mr. Bird was aware of the contract. He said yes, and Council then discussed alternatives.

JOE CLICK, resident of Creedmoor, said they want to incorporate to protect the area. They do not feel like they are a part of Austin and are not asking for any services.

Mayor McClellan said she appreciates the comments and shares the pride which is felt in the community.

Motion

Councilmember Himmelblau moved that the Council uphold the Planning Commission and not grant the consent of the City of Austin to the incorporation of Creedmoor. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell  
Noes: None

## CONTRACT WITH HOUSTON LIGHTING AND POWER

Motion

Councilmember Himmelblau moved that the Council adopt a resolution authorizing an extension to the contract with the Houston Lighting and Power Company for the sale of additional electric generating capacity. The motion was seconded by Mayor McClellan.

Substitute Motion

Councilmember Goodman made a substitute motion that the Council adopt a resolution approving a five-year contract extension with the Houston Lighting and Power Company for the sale of additional electric generating capacity. The substitute motion, seconded by Mayor Pro Tem Trevino, failed to carry by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Trevino  
Noes: Councilmembers Cooke, Himmelblau, Mullen, Snell, Mayor McClellan

Roll Call on Original Motion

Ayes: Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino  
Noes: None

## SOCIAL SERVICE AGENCIES CONTRACTS

Councilmember Cooke moved that the Council adopt a resolution authorizing execution of contracts with three Social Service Agencies for FY 80-81:

Big Brothers/Big Sisters of Austin, Inc.	\$ 34,234
Extend-A-Care, Inc.	\$ 18,900
Community Bound Programs, Inc.	\$ 17,800

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmember Goodman, Mayor Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: Councilmembers Himmelblau, Mullen  
Not in Council Chamber when roll was called: Councilmember Snell

Prior to the vote, Councilmember Himmelblau said she has trouble with the amount for Community Bound and said she thought the administrative overhead is high for the number of clients. She said the State Department of Health plans to go with more half-way houses. Councilmember Himmelblau asked for a report back in six months regarding the clients and where the money is coming from. She said this is the state's responsibility and not the City's.

## CSA FOUR YEAR PLAN

Mayor Pro Tem Trevino moved that the Council adopt a resolution approving the four (4) year plan required under the CSA contract to address poverty-related problems of CSA target area residents, with staff meeting with 1st Street area to begin process to include Rainey area. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman  
Noes: None

## MURAL FOR TERRAZAS BRANCH LIBRARY

Councilmember Mullen moved that the Council adopt a resolution approving a project by the League of Chicano Artists to paint a mural on the east exterior wall (45 feet by 13 feet) of the Terrazas Branch Library, 1105 East First Street. The motion, seconded by Councilmember Goodman, carried by unanimous vote, Councilmember Snell out of the room.

Councilmember Himmelblau asked why this has not been reviewed by the Library Board. It has been by the Art Commission. Mr. Holt, Director of Libraries, said this project was started a month ago and the Library Board did not meet in November and they will not meet in December.

Councilmember Mullen asked to see what the mural will look like. A slide was shown and Santa Barraza explained the mural. Other members of Chicano Artists who were there were Marta Sanchez, Sandra Rodriguez, Mary Jane Garza and Raymond Salazar.

## APPROPRIATION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY TRANSFERRING FROM THE ENDING BALANCE OF THE UTILITY FUND TO THE POWER PRODUCTION MAINTENANCE ACCOUNT OF THE ELECTRIC UTILITY THE SUM OF \$1,000,000.00; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers Cooke, Goodman, Himmelblau, Mullen

Noes: None

Not in Council Chamber when roll was called: Councilmember Snell

The Mayor announced that the ordinance had been finally passed.

## GENERAL SERVICES DEMAND CLASSIFICATION

Motion - Failed

Councilmember Cooke moved that the Council waive the requirement for three readings and finally pass an ordinance revising the Electric Rate Ordinance setting the criteria for the General Consumption Services Demand Classification at 30 KW of demand and 10,000 KWH energy consumption. The motion, seconded by Councilmember Mullen, failed to carry by the following vote:

Ayes: Mayor Pro Tem Trevino, Councilmembers Cooke, Mullen  
Noes: Mayor McClellan, Councilmembers Goodman, Himmelblau  
Not in Council Chamber when roll was called: Councilmember Snell

Prior to the vote, Mr. R. L. Hancock, Director of Electric Utility, Councilmember Goodman and Mr. Merle Lang discussed the rates. Councilmember Mullen said it is unfair to continue this single class of people and that it needs to be corrected now. Councilmember Himmelblau asked if this group of people is adjusted, will another group come in and want an adjustment. Mr. Hancock told her this could happen. After the vote, Councilmember Himmelblau said she would work with Mr. Lang one more time.

## JUNETEENTH HOLIDAY NOT APPROVED

Motion - Failed

Councilmember Snell moved that the Council establish Juneteenth as an official City of Austin holiday in place of Washington's Birthday. The motion, seconded by Councilmember Goodman, failed to carry by the following vote:

Ayes: Councilmembers Goodman, Snell  
Noes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Mullen,  
Mayor Pro Tem Trevino

## NO ACTION TAKEN ON AGENDA ITEMS

Council discussed but took no action on these Items From Council:

Consider approval of \$2,000 organizational fee for East Austin Chican Economic Development Corporation. (Councilmember Cooke)

Amend the Austin Roadway Plan regarding the proposed connection between Riverside Drive and Barton Springs Road.

December 18, 1980

CITY OF AUSTIN, TEXAS

SCHOOL CROSSING GUARD APPROVED

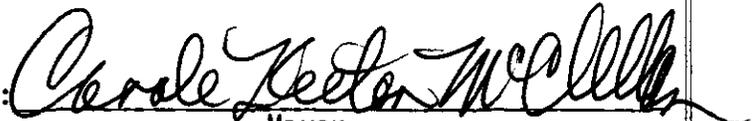
Councilmember Goodman moved that the Council approve the establishment of a school crossing guard for 11th and Chicon Streets; budget to be amended January 8, 1980. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor  
Pro Tem Trevino, Mayor McClellan, Councilmember Cooke  
Noes: None

ADJOURNMENT

Council adjourned its Council Meeting at 12:15 a.m.

APPROVED:



Mayor

ATTEST:



City Clerk

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Called Meeting

December 21, 1981

1:30 P.M.

First Floor Conference Room

Municipal Building

124 West Eighth Street

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The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan

Absent: Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan,  
Goodman, Mullen, Urdy

Council was scheduled to hold a Special Called Council Meeting of the City Council on December 21, 1981 for the purpose of reviewing the Request for Proposal to be issued in connection with the proposed advanced refunding of the City of Austin's Utility Revenue Bonds.

Mayor McClellan was the only one present, so no meeting was held because there was not a quorum. However, discussion was held between the Mayor and members of the staff.